

**BEFORE THE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

13) M.A. No. 807/21
(Possession & Recovery of outstanding dues)
In
AT006000000053027/21

Adv. Mr. Prashant M. Sane

... Appellant

V/s.

M/s Vital Developers Pvt. Ltd. & Ors.

...Respondents

Adv. Prashant M. Sane for Appellant

Adv. Makarand V. Raut for Respondents

**CORAM : SHRI SHRIRAM. R. JAGTAP, MEMBER (J), &
DR. K. SHIVAJI, MEMBER (A)**
DATE : 9th May, 2024

(THROUGH VIDEO CONFERENCE)

1. The following order is passed.

ORDER


a. Appeal is partly allowed.

b. Para 13 of the impugned order dated 21st December 2020, passed in Complaint No. CC 0050000000 182099 stands modified to the extent as here under: -

"13.Promoter are directed to pay interest to complainant from 01st April 2019 for every month of delay till 08th April 2021 on the actual amount paid by complainant at the rate of Marginal Cost of Lending Rate (MCLR) of SBI plus 2% as prescribed under the provision of Section 18 of The Maharashtra Real Estate (Regulation and Development) Act, 2016 and the Rules made thereunder..... complainant is directed to pay maintenance charges from the entitled date of possession of 8th April 2021."

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- c. The rest of the order stands confirmed.
- d. Parties will pay the applicable taxes.
- e. In view of the disposal of captioned appeal, pending Misc. Application will not survive. Hence, stands disposed of.
- f. No order as to costs.
- g. In view of the provisions of Section 4494) of the Act of 2016, a copy of this order shall be sent to the parties and to MahaRERA.


(DR. K. SHIVAJI)
Pathrikar_


(SHRIRAM. R. JAGTAP)